

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

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In re : Chapter 11 Case No.  
LEHMAN BROTHERS HOLDINGS INC., *et al.*, : 08-13555 (JMP)  
Debtors. : (Jointly Administered)  
-----X-----

DECLARATION AND DISCLOSURE STATEMENT OF ANTHONY LO SURDO

ANTHONY LO SURDO declares and says:

1. I am a barrister, located at Twelfth Floor, Selborne/Wentworth Chambers, 180 Phillip Street, Sydney, New South Wales, Australia.
2. Lehman Brothers Holdings Inc. ("LBHI") and its affiliated debtors in the above-referenced chapter 11 cases, as debtors and debtors in possession (together, the "Debtors" and, collectively with their non-debtor affiliates, "Lehman"), have requested that I provide legal services to the Debtors, including advising on aspects of law and strategy for preparation of case, conferring with instructing solicitors, and appearing as an advocate on behalf of LBHI in relation to proceedings to which LBHI is a defendant in the Federal Court of Australia (proceedings no. NSD 538 of 2009), and I consent to provide such services.
3. I may have performed services in the past and may perform services in the future, in matters unrelated to these chapter 11 cases, for persons that are parties in interest in the Debtors' chapter 11 cases. As part of my customary practice, I

am retained in cases, proceedings, and transactions involving many different parties, some of whom may represent or be claimants or employees of the Debtors, or other parties in interest in these chapter 11 cases. I do not perform services for any such person in connection with these chapter 11 cases. In addition, I do not have any relationship with any such person, their attorneys, or accountants that would be adverse to the Debtors or their estates.

4. I have not agreed to share or will share any portion of the compensation to be received from the Debtors with any other person.

5. I do not, insofar as I have been able to ascertain, hold or represent any interest adverse to the Debtors or their estates.

6. The Debtors owe me \$Nil for prepetition services.

7. I am conducting further inquiries regarding my retention by any creditors of the Debtors, and upon conclusion of that inquiry, or at any time during the period of its employment, if I should discover any facts bearing on the matters described herein, I will supplement the information contained in this Declaration.<sup>1</sup>

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: SYDNEY, NEW SOUTH WALES  
24 AUGUST, 2009



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ANTHONY LO SURDO

*R. Lymer JP Reg. No 159417*

<sup>1</sup> If necessary.

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RETENTION QUESTIONNAIRE

TO BE COMPLETED BY PROFESSIONALS EMPLOYED BY LEHMAN  
BROTHERS HOLDINGS INC. OR ANY OF ITS DEBTOR AFFILIATES (collectively,  
the "Debtors")

DO NOT FILE THIS QUESTIONNAIRE WITH THE COURT.  
RETURN IT FOR FILING BY THE DEBTORS, TO:

Weil, Gotshal & Manges LLP  
767 Fifth Avenue  
New York, New York 10153  
Attn: Jennifer Sapp  
Christopher Stauble

All questions **must** be answered. Please use "none," "not applicable," or "N/A," as appropriate. If more space is needed, please complete on a separate page and attach.

1. Name and address:

Anthony Lo Surdo of Twelfth Floor, Selborne/Wentworth Chambers, 180

Phillip Street, Sydney, New South Wales, Australia

2. Date of retention: 8 May 2009

3. Type of services provided (accounting, legal, etc.):

Legal services as detailed in paragraph 4 below.

4. Brief description of services to be provided:

Advise on aspects of law and strategy for preparation of case, confer with instructing solicitors, and appear as an advocate on behalf of Lehman Brothers Holdings Inc ("LBHI") in relation to proceedings to which LBHI is a defendant in the Federal Court of Australia (proceedings no. NSD 538 of 2009).

5. Arrangements for compensation (hourly, contingent, etc.)

Hourly

(a) Average hourly rate (if applicable):

AUD\$456.50 (including goods and services tax)

(b) Estimated average monthly compensation based on prepetition retention (if you were employed prepetition):

N/A

6. Prepetition claims against the Debtors held by you:

Amount of claim: \$N/A

Date claim arose: N/A

Source of Claim: N/A

7. Prepetition claims against the Debtors held individually by any professional employee of you:

Name: N/A

Status: N/A

Amount of Claim: \$N/A

Date claim arose: N/A

Source of claim: N/A

8. Stock of the Debtors currently held by you:

Kind of shares: None

No. of shares: N/A

9. Stock of the Debtors currently held individually by any professional employee of you:

Name: N/A

Status: N/A

Kind of shares: N/A

No. of shares: N/A

10. Disclose the nature and provide a brief description of any interest adverse to the Debtors or to their estates with respect to the matters on which you are to be employed.

None

11. Name of individual completing this form:

Anthony Lo Surdo